

REMARKS

By this Amendment, Applicant has amended claims 2 and 22. Claims 1, 2, 4, 5, 7, 10, 13, 16, 19 and 22 are pending.

Claim Rejections Under Section 102

Claims 1, 2, 5, 7, 10, 13, 16 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ibata. Applicant respectfully traverses this Section 102(b) rejection.

Claims 1 and 2 are independent claims. Claims 4, 9 and 12 are dependent on claim 1. Claims 5, 7, 10, 13, 16 and 19 are dependent on claim 2. Claim 22 is also an independent claim.

Turning first to claim 1, it is directed to a device comprising the following elements:

- a motor having a frame of which surface is conductive,
- a grounding terminal disposed at a place facing the frame,
- a housing for accommodating the motor, and
- an elastic member made of **conductive resin**, including:
 - **a first portion forming an electrical conductor disposed between the frame and the grounding terminal, and**
 - **a second portion disposed between the frame and the housing.**

It is Applicant's contention that the device of claim 1 is patentably distinguished from the Ibata Reference at least based on the requirement that the elastic member is of a conductive resin and includes a first portion forming an electrical conductor disposed between the frame and the grounding terminal, as well as a second portion disposed between the frame and the housing. This feature is neither taught nor suggested in the Ibata Reference.

The Ibata Reference concerns an electromagnetic vibrator and device incorporating the same. Applicant notes that the Ibata Reference appears to be

related to U.S. Patent No. 6,271,610. From the Ibata Reference Applicant notes that the electromagnetic vibrator described therein includes a motor case 3 which is surrounded by a boot 5 extending between the motor case and a housing 12. Applicant notes that in the '610 Patent at column 5, lines 1-2, there is a description of the boot 5 as being "an elastic body made of synthetic rubber." Applicant further notes that at column 5, lines 33-35, the '610 Patent states that "elastic pressing body 6 approximately triangular shaped is formed in a part of the boot 5." From that description, Applicant understands that boot 5 and body 6 are both of a synthetic rubber which is therefore not conductive. Accordingly, the Ibata Reference lacks any teaching or suggestion of an elastic member made of a conductive resin as defined by Applicant's claim 1.

The foregoing is not surprising to Applicant because the purpose of Applicant's claimed invention and the Ibata Reference are different from one another. Applicant's claimed invention aims to short a grounding terminal of a device and a motor frame using an elastic conductor to lower an elastic noise level of a portable device. In contrast, the Ibata Reference seeks to improve the vibration resistance and shock resistance of an electromagnetic vibrator.

Also, the Ibata Reference could not describe an elastic press member being of electrical conductivity, because if it were of electrical conductivity, a positive electrode and negative electrode of the supply terminals would short-out each other, and the motor of the electromagnetic vibrator of Ibata would not function. Thus, the disclosure of the Ibata Reference further supports Applicant's contention that the boot 5 and elastic pressing body 6 of the Ibata Reference are of a non-electrical material in complete contravention to the requirement of Applicant's claim 1.

For the reasons noted above, Applicant respectfully submits that claim 1 and dependent claims 4, 9 and 12 are patentably distinguished from the Ibata Reference.

Claim 2 is also directed to a device and calls for the following elements:

- a motor having a frame of which surface is conductive and a motor terminal in a leaf spring shape,
- a feeding terminal for powering the motor and disposed at a place facing the motor terminal,

- a grounding terminal disposed at a place facing the frame,
- a first elastic member made of insulating resin and disposed for urging the motor terminal to the feeding terminal, and
- **a second elastic member made of conductive resin and disposed between the frame and the grounding terminal.**

Applicant submits that a requirement of claim 2 of a second elastic member having a conductive resin and disposed between the frame and the grounding terminal is simply not taught or suggested in the Ibata Reference as noted above. Thus claim 2 and dependent claims 5, 7, 10, 13, 16 and 19 are patentably distinguished from the Ibata Reference.

Claim 22 is directed to a motor including the following elements:

- a frame of which surface is conductive, and
- a motor terminal in a leaf spring shape,
- the motor terminal is urged by a first elastic member made of insulating resin to a feeding terminal of a device, and
- **the frame is conductive to a grounding terminal of the device via a second elastic member made of conductive resin.**

Applicant submits that the motor of independent claim 22 requires a second elastic member made of a conductive resin so that the frame is conductive to a grounding terminal via this second elastic member. This is similar to the requirements found in independent claims 1 and 2. Therefore, claim 22 is patentably distinguished from the Ibata Reference for the reasons noted above.

In view of the foregoing, Applicant requests the withdrawal of the Section 102(b) rejection.

Based on the foregoing remarks and amendments, Applicant respectfully submits that claims 1, 2, 4, 5, 7, 10, 13, 16, 19 and 22 are in condition for allowance. Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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Enclosure: Version with markings to show changes made

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VERSION WITH MARKINGS TO SHOW CHANGES MADECLAIMS

1 2. (Amended) A device comprising:
2 (a) a motor having a frame of which surface is conductive and a motor
3 terminal ~~shaping~~-in a leaf spring shape;
4 (b) a feeding terminal for powering said motor and disposed at a place
5 facing the motor terminal;
6 (c) a grounding terminal disposed at a place facing the frame;
7 (d) a first elastic member made of insulating resin and disposed for
8 urging the motor terminal to said feeding terminal; and
9 (e) a second elastic member made of conductive resin and disposed
10 between the frame and said grounding terminal.

1 22. (Amended) A motor comprising:
2 a frame of which surface is conductive; and
3 a motor terminal ~~shaping~~-in a leaf spring shape,
4 wherein said motor terminal is urged by a first elastic member made of
5 insulating resin to a feeding terminal of a device, and said frame is conductive to a
6 grounding terminal of the device via a second elastic member made of conductive
7 resin.